



AUG 09 2004

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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/772,806	02/05/2004	Nikolaus Osterrieder	1/1199-1-C1

CONFIRMATION NO. 5527

FORMALITIES LETTER



OC000000012319624

28501
 BOEHRINGER INGELHEIM CORPORATION
 900 RIDGEBURY ROAD
 P. O. BOX 368
 RIDGEFIELD, CT 06877

Date Mailed: 04/09/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The signature of the following inventor(s) is missing from the oath or declaration:
Jens von Einem
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

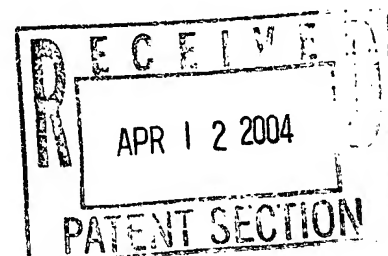
The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
 - The drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch). See Figures(s) 2,4d.
 - More than one figure is present and each figure is not labeled "Fig." with a consecutive Arabic numeral (1, 2, etc.) or an Arabic numeral and capital letter in the English alphabet (A, B, etc.) (see 37 CFR 1.84(u)(1)). See Figure(s) 1,4c.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$130 for a Large Entity



- \$130 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
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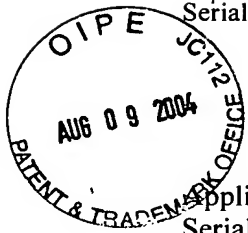
*A copy of this notice **MUST** be returned with the reply.*

Y.G.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY



Serial No. 10/772,806

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Nikolaus Osterrieder, et al.) Art Unit: To be assigned
Serial No.: 10/772,806) Examiner: To be assigned
Conf. No.: 5527)
Filed: February 5, 2004
For: Artificial Chromosomes Comprising EHV Sequences
Docket No.: 1/1199-1-C1

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Alexandria, VA 22313-1450

SUBMISSION OF MISSING PARTS OF APPLICATION
PURSUANT TO 37 CFR 1.53(d)

Sir:

In response to the Notice To File Missing Parts of Application ("the Notice") which was mailed on April 9, 2004, please find enclosed: (1) a Petition for Extension of Time for two (2) months up to and including August 9, 2004, together with the necessary fee; (2) a Supplemental Application Data Sheet; (3) Replacement Drawing Sheets (7 sheets), and (4) a copy of the Notice To File Missing Parts of Application.

No fee is believed to be due; however, if a fee is due, the Commissioner is hereby authorized to charge this and any other fee which may be required, and to credit any overpayment, to Deposit Account No. 02-2955. Triplicate copies of this paper are enclosed.

Remarks

According to the Notice, the signature of the inventor *Jens von Einem* is missing from the oath or declaration. Attorney for Applicants submits that the Declaration correctly includes the signature of the inventor *Jens Rudolph*. The initial Application Data Sheet, however, incorrectly listed Dr. Rudolph's family name as "von Einem". A Supplemental Application Data sheet which correctly lists Jens Rudolph, as listed on the Declaration, is submitted herewith.

The Notice also indicates that the drawing sheet are not acceptable because they do not have the appropriate margins and more than one figure is present and each figure is not labeled

"Figure" with a consecutive Arabic numeral or an Arabic numeral and capital letter. In response, Applicants submit herewith Replacement Drawing wherein the margins have been corrected, only one figure is present, and each figure is appropriately labeled.

Respectfully submitted,



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Reg. No. 45,016

Patent Department
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Date: August 9, 2004

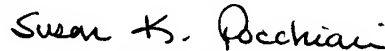
Certificate of Mailing

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as Express Mail in an envelope addressed to:

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on August 9, 2004.

Express Mail No. EV 345914531 US



Susan K. Pocchiari